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PTO/SB/29 (12/97)
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OCT 21 1998

CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.
(Only for Continuation or Divisional applications under 37 CFR 1.53(d))

CHECK BOX, if applicable:

☐ DUPLICATE

Address to:

Assistant Commissioner for Patents
Box CPA
Washington, DC 20231

Attorney Docket No.

29865

First Named Inventor

Maria Anna Wubben

Express Mail Label No.

EL141892486US

Total Pages

6

This is a request for a ☒ continuation or ☐ divisional application under 37 CFR 1.53(d),
(continued prosecution application (CPA)) of prior application number 08 / 776,321,
filed on April 15, 1997, entitled PECTINS AS FOAM STABILIZERS FOR BEVERAGES HAVING A
FOAM HEAD

NOTES

FILING QUALIFICATIONS: The prior application identified above must be a nonprovisional application that is either: (1) complete as defined by 37 CFR 1.51(b) and filed on or after June 8, 1995, or (2) the national stage of an international application in compliance with 35 U.S.C. 371 and filed on or after June 8, 1995.

C-I-P NOT PERMITTED: A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

EXPRESS ABANDONMENT OF PRIOR APPLICATION: The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

ACCESS TO PRIOR APPLICATION: The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

35 U.S.C. 120 STATEMENT: In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1. ☐ Enter the unentered amendment previously filed on _____ under 37 CFR 1.116 in the prior nonprovisional application.
2. ☒ A preliminary amendment is enclosed.
3. This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53 (d)(4).
 - a. ☐ DELETE the following inventor(s) named in the prior nonprovisional application:
.....
 - b. ☐ The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5. Information Disclosure Statement (IDS) is enclosed:
 - a. ☐ PTO-1449 **790.00 OP**
 - b. ☐ Copies of IDS Citations **82.00 OP**

10/23/1998
01 FC:131
02 FC:102
03 FC:103

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[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box CPA, Washington, DC 20231.

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CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	25 -20 =	5	x \$ 22 =	\$ 110
	INDEPENDENT CLAIMS(37 CFR 1.16(b))	4 -3 =	1	x \$ 82 =	\$ 82
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ \$270 =	\$ 0
				BASIC FEE (37 CFR 1.16(a))	\$ 790
				Total of above Calculations =	\$ 982
	Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28).				\$ 0.00
				TOTAL =	\$ 982.

6. Small entity status:

- a. ☐ A small entity statement is enclosed.
- b. ☐ A small entity statement was filed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer claimed.
7. The Commissioner is hereby authorized to credit overpayments or charge the following fees to Deposit Account No. 16-0820: Order No. 29865
- a. ☒ Fees required under 37 CFR 1.16.
- b. ☒ Fees required under 37 CFR 1.17.
- c. ☐ Fees required under 37 CFR 1.18.
8. ☒ A check in the amount of \$1,092.00 is enclosed.
9. ☒ Other: Request for Extension of Time

NOTE:

The prior application's correspondence address will carry over to this CPA UNLESS a new correspondence address is provided below.

10. NEW CORRESPONDENCE ADDRESS

☐ Customer Number or Bar Code Label

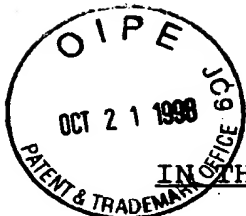
or ☐ New correspondence address below

(Insert Customer No. or Attach bar code label here)

NAME	John P. Murtaugh, Reg. No. 34226				
	Pearne, Gordon, McCoy & Granger LLP				
ADDRESS	1200 Leader Building				
CITY	Cleveland	STATE	Ohio	ZIP CODE	44114-1401
COUNTRY	U.S.A.	TELEPHONE	216-579-1700	FAX	216-579-6073

11: SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME	John P. Murtaugh, Reg. No. 34226
SIGNATURE	<i>John P. Murtaugh</i>
DATE	Oct. 21, 1998



#14/C
WB
10/27/98
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Maria Anna Wubben, et al.
Title: PECTINS AS FOAM STABILIZERS FOR BEVERAGES
HAVING A FOAM HEAD
Serial No.: 08/776,321 Art Unit: 1761
Filing Date: April 15, 1997
Examiner: Curtis E. Sherrer
Docket No.: 29865

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Please amend the application prior to its examination as follows.

IN THE CLAIMS:

Please amend claim 18 as follows.

Sub A1
18. (Amended) A method of [for] preparing through a
2 preparation process a beverage having improved foam head
3 stability comprising [adding one or more pectins to the
4 beverage at a stage of the preparation process of said
5 beverage effective to prevent any substantial breakdown of
6 said pectins] providing to said beverage during said
7 preparation process 0.5 to 30 g pectin per hectoliter
8 beverage, said quantity of pectin being provided to said
9 beverage at a stage of said preparation process effective to
10 provide a beverage having improved foam head stability, said